

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

LORNA E. NAVIN §  
§  
V. § CASE NO. 4:11CV547  
§ Judge Schneider/Judge Mazzant  
J.C. PENNY COMPANY, INC. §

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 24, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss (Dkt. No. 23) be granted.

The Court, having made a *de novo* review of Plaintiff's objections, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss (Dkt. No. 23) is GRANTED and Plaintiff's case is DISMISSED with prejudice.

**It is SO ORDERED.**

**SIGNED this 22nd day of February, 2012.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE